



# City of Marietta Meeting Agenda

205 Lawrence Street  
Post Office Box 609  
Marietta, Georgia 30061

## CITY COUNCIL

*William B. Dunaway, Mayor*  
*Annette Paige Lewis, Ward 1*  
*Griffin "Grif" L. Chalfant, Jr., Ward 2*  
*Holly Marie Walquist, Ward 3*  
*Irvan A. "Van" Pearlberg, Ward 4*  
*Rev. Anthony C. Coleman, Ward 5*  
*James W. King, Ward 6*  
*Philip M. Goldstein, Ward 7*

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**Wednesday, January 10, 2007**

**7:00 PM**

**Council Chamber**

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### **CALL TO ORDER:**

### **INVOCATION:**

*Anthony Coleman, Ward 5*

### **PLEDGE OF ALLEGIANCE:**

### **PRESENTATIONS:**

### **PROCLAMATIONS:**

### **ANNOUNCEMENTS OF GENERAL COMMUNITY INFORMATION BY THE MAYOR, COUNCIL AND/OR CITY MANAGER:**

**CONSENT AGENDA:** Consent agenda items are marked by an asterisk (\*). Consent items are approved by majority of council. A public hearing will be held only for those items marked by an asterisk that require a public hearing (also noted on agenda).

### **MINUTES:**

- \* **20061374 Regular Meeting - December 13, 2006**  
Review and approval of the December 13, 2006 regular meeting minutes.
- \* **20061404 Special Meeting - December 21, 2006**  
Review and approval of the December 21, 2006 special meeting minutes.

### **MAYOR'S APPOINTMENTS:**

- \* **20070035 Mayor Pro tem**  
Appointment of Rev. Anthony Coleman as the Mayor Pro tem for a term of one year expiring on January 9, 2008.
- \* **20070036 Presiding Officer**  
Appointment of Irvan Alan (Van) Pearlberg as the Presiding Officer for a term of one year expiring on January 9, 2008.

- \*        **20070037        BLW Council Representative**

Reappointment of James W. King as the council representative on the Board of Lights and Water (BLW) for a term of one year expiring on January 9, 2008.
- \*        **20070038        Economic/Community Development Committee**

Appointment of Griffin Lee Chalfant, Jr., as the chairperson, Holly M. Walquist and Philip M. Goldstein, to the Economic/Community Development Committee for a term of one year expiring on January 9, 2008.
- \*        **20070039        Finance/Investments Committee**

Appointment of Annette Paige Lewis, as the chairperson, James W. King and Anthony C. Coleman to the Finance/Investments Committee for a term of one year expiring on January 9, 2008.
- \*        **20070040        Judicial/Legislative Committee**

Appointment of Philip M. Goldstein, as the chairperson, Irvan Alan Pearlberg and James W. King to the Judicial/Legislative Committee for a term of one year expiring on January 9, 2008.
- \*        **20070041        Parks, Recreation & Tourism Committee**

Appointment of Holly M. Walquist, as the chairperson, Anthony C. Coleman and Annette Paige Lewis to the Parks, Recreation and Tourism Committee for a term of one year expiring on January 9, 2008.
- \*        **20070042        Personnel/Insurance Committee**

Appointment of Irvan Alan Pearlberg, as the chairperson, Griffin Lee Chalfant, Jr., and Annette Paige Lewis to the Personnel/Insurance Committee for a term of one year expiring on January 9, 2008.
- \*        **20070043        Public Safety Committee**

Appointment of Anthony C. Coleman, as the chairperson, Irvan Alan Pearlberg and Holly M. Walquist to the Public Safety Committee for a term of one year expiring on January 9, 2008.
- \*        **20070044        Public Works Committee**

Appointment of James W. King, as the chairperson, Griffin Lee Chalfant, Jr., and Philip M. Goldstein to the Public Works Committee for a term of one year expiring on January 9, 2008.
- \*        **20070045        Marietta Housing Authority Council Liaison**

Appointment of Anthony C. Coleman as the council liaison to the Marietta Housing Authority for a term of one year expiring on January 9, 2008.
- \*        **20070046        Marietta Board of Education Council Liaison**

Appointment of Annette Paige Lewis as the council liaison to the Marietta Board of Education for a one-year term expiring on January 9, 2008.

**CITY COUNCIL APPOINTMENTS:**

- \* **20061362 Board of Lights and Water - Citizen Member**  
Reappointment of Arthur D. Vaughn to the Marietta Board of Lights and Water (citizen member), effective February 11, 2007 and expiring February 10, 2010.
- \* **20061382 Cobb Housing, Inc.**  
Appointment of Griffin (Grif) L. Chalfant, Jr., to the Cobb Housing, Inc. (CHI) Board of Directors for a one year term expiring on January 10, 2008.
- \* **20061383 Cobb Municipal Association 2007 Delegates**  
Appointment of Annette Paige Lewis and Irvan (Van) Pearlberg to serve as the 2007 voting delegates for the Cobb Municipal Association (CMA) business meetings.

**ORDINANCES:**

- 20061376 Z2007-01 Century Partners No. 5, LLC (Whit Marshall) 554 and 560 Haley Street**  
Z2007-01 Century Partners No. 5, LLC [Whit Marshall, Partner]] requests rezoning for property located in Land Lot 0360, District 17, Parcels 22 & 23, and being known as 554 and 560 Haley Street from NRC (Neighborhood Retail Commercial) to PRD-SF (Planned Residential Development - Single Family). Ward 5.

*Public Hearing (all parties are sworn in)*

*Planning Commission recommends approval subject to reducing the variances.*

*Vote: 6 -1 - 0*

*Mr. Kinney (Planning Commission) added his wish to this recommendation that applicant work with staff to try and reduce variances and will leave it up to applicant and staff to figure out exactly what to do.*

*Stipulations: Motion to approve with the condition that variances be reduced.*

- 20060953 CA2007-01 Proposed amendments regarding Traffic & Parking Standards and Definitions**

Proposal to amend the Comprehensive Development Codes of the City of Marietta, Division 716 Traffic & Parking Standards (off-street parking requirements to add categories to clarify uses); Division 716.10 (designated loading/unloading zones); and, Division 724 Definitions (to add definitions)

*Public Hearing (all parties are sworn in)*

*Planning Commission recommends approval with the following changes:*

*Revise Table J to include "Spaces Required" label where appropriate.*

*Clarify language regarding spaces required for stadiums and sports arenas*

*Vote: 7 - 0 - 0*

*Stipulations: n/a*

- \* **20070052 Property Purchase**  
Ordinance to amend FY2007 budget to appropriate \$150,000 from fund balance

for purchase of property.

*Council members Van Pearlberg, Jim King and Holly Walquist voting in opposition.*

## **RESOLUTIONS:**

### **CITY ATTORNEY'S REPORT:**

**\* 20070067 Denial of a claim**

Denial of a claim by Ms. Ruth Dupree.

### **CITY MANAGER'S REPORT:**

### **MAYOR'S REPORT:**

### **COMMITTEE REPORTS:**

**1. Economic/Community Development: Grif Chalfant, Chairperson**

**2. Finance/Investment: Annette Lewis, Chairperson**

**\* 20061354 Federal Grant Funds for Bullet Resistant Vests**

Ordinance to amend the FY2007 budget to accept and appropriate grant reimbursement funds of \$12,137 for MPD purchase of bullet resistant vests

**\* 20061372 Marietta Fire Donation**

Ordinance to amend FY2007 budget to receive and appropriate donations totaling \$1,500 from the Wal-Mart Foundation for public safety education programs

**\* 20070072 National League of Cities**

Motion to approve travel and training expenses for Council members who wish to attend the National League of Cities (NLC) 2007 Annual Congressional City Conference in Washington, DC on March 10-14, 2007.

**\* 20061370 Parade permit fees**

Motion to approve the revised Parade Permit Fees as follows.

1. Fee schedule.

5K -- \$1,500

10K--\$2,500

2. Multi-jurisdictional events:

Charges as indicated for 5K's or 10K's

Pay officers directly at the discretion of the Chief of Police

Figure amount based on needed personnel

3. City sponsored events shall be exempt from these fees. Events conducted by other governments shall be subject to the Parade permit fees unless co-sponsored by the City of Marietta.

**\* 20070073 2007 Mayors' Day Conference**

Motion approving travel and training expenses for Council members who wish to attend the Georgia Municipal Association (GMA) Annual Mayors' Day Conference, January 20, 2007 in Atlanta, Georgia.

**3. Judicial/Legislative: Philip M. Goldstein, Chairperson**

- \* **20061361 City Council Regular Meeting 2007 Calendar**  
Approval of a Resolution establishing dates, time and place of regular council meetings for 2007.
- \* **20061379 Parking Enforcement Ordinance**  
Motion approving revisions to the Parking Enforcement Ordinance to allow the use of civilian parking enforcement officers by amending Marietta Code Sections 2-4-010, 2-10-020, and 2-10-070.
- \* **20070064 Revised Detailed Plan for Johnny Walker Homes**  
Motion to approve the revised Detailed Plan for Johnny Walker Homes. Approval of this matter does not amend the Landscape Plan previously approved for Johnny Walker Homes.

**4. Parks, Recreation and Tourism: Holly Walquist, Chairperson**

- \* **20061395 Property easement**  
Motion to request that Marietta Housing Authority Quit Claim the property located between 37 Reynolds Street and 348 Powder Springs Street to the City of Marietta. Staff was also directed to have the subject property surveyed.

**5. Personnel/Insurance: Van Pearlberg, Chairperson****6. Public Safety Committee: Anthony Coleman, Chairperson****7. Public Works Committee: Jim King, Chairperson****SCHEDULED APPEARANCES:****UNSCHEDULED APPEARANCES:****OTHER BUSINESS:**

- 20061298 HO2006-02 Motion to Approve 443 McArthur Drive**  
HO2006-02 Motion to Approve home occupation for Jemimah Machayo, Land Lot 11610, 16th District, Parcel 0260, 2nd Section, Cobb County, Marietta, Georgia and being 443 McArthur Drive. Request to establish a home occupation for daycare [712.04]. Ward 5.
- 20061390 V2007-01 Shaw and Baugh, Inc. 680 Powder Springs Street**  
Motion to approve a request from Shaw and Baugh, Inc. for a sign variance for property located in Land Lot 02140, 17th District, Parcel 0060, 2nd Section of Cobb County, Marietta, Georgia and being located at 680 Powder Springs Street. Variance to allow a pylon sign[714.06.A.1]; variance to allow a detached free-standing sign exceeding 15 feet in height along an arterial road [714.04.TABLE H]; and, variance to allow a detached free-standing sign exceeding 90 square feet in sign face along an arterial road [714.04.TABLE H]. Ward 3.
- \* **20070001 BLW Actions of January 8, 2007**

Board of Lights and Water Works (BLW).

**20070066      Survey for the Non-Binding Commitment to Vogtle Expansion**

Motion to approve the Non-Binding Commitment to the Plant Vogtle Expansion as prepared by staff, with a notation stating that the City of Marietta may be interested in purchasing more generation capacity if possible. The notation should be added to the line indicating the Non-Binding Participation Level.

**20070074      Meeting Minutes - Agenda Item 20061286**

Council recognizes that there is a dispute and that this matter is moot. Council takes no action regarding the November 8, 2006 meeting minutes of agenda item 20061286, MEAG Negotiations - Plant Vogtle Expansion.

**ADJOURNMENT:**